

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Catherine J. Pachuk

Art Unit: Unknown
Examiner: Unknown

International Application No.:
PCT/US04/19229

U.S. Application No.:
10/560,377

International Filing Date:
June 10, 2004

Atty Docket: 26788-024

For: Conserved HBV And HCV Sequences Useful For Gene Silencing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Sir:

This letter is in response to the Notification of Missing Requirements mailed on March 15, 2006 which indicates that the following items need to be furnished: an Oath or Declaration of the inventors, an initial computer readable copy of the sequence listing and an amendment specifically directing its entry into the application.

Enclosed please find an executed Combined Declaration and Power of Attorney, Preliminary Amendment, Replacement Sheet – Figure 15, a paper copy and computer readable form of the sequence listing, as well as a copy of the Notification of Missing Requirements for the above-identified patent application.

Please charge the one month extension fee of \$60.00 to Deposit Account No. 501447 (Potter Anderson & Corroon LLP), as well as any additional fees or credit any over-payment.

Respectfully submitted,



Jeffrey Saitan
Attorney for Applicant
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Dated: June 14, 2006

5/15/06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/560,377	Catherine J Pachuk	26788-024

INTERNATIONAL APPLICATION NO.

PCT/US04/19229

I.A. FILING DATE

PRIORITY DATE

06/10/2004

06/12/2003

26691

POTTER ANDERSON & CORROON LLP
 ATTN: KATHLEEN W. GEIGER, ESQ.
 P.O. BOX 951
 WILMINGTON, DE 19899-0951

CONFIRMATION NO. 3823

371 FORMALITIES LETTER



OC000000018266041

Date Mailed: 03/15/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/12/2005
- Copy of the International Search Report filed on 12/12/2005
- Preliminary Amendments filed on 12/12/2005
- U.S. Basic National Fees filed on 12/12/2005
- Priority Documents filed on 12/12/2005
- Specification filed on 12/12/2005
- Claims filed on 12/12/2005
- Abstracts filed on 12/12/2005
- Drawings filed on 12/12/2005
- Paper nucleotide sequence listings filed on 12/12/2005

RECEIVED

MAR 22 2006

POTTER ANDERSON & CORROON LLP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in

computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Additionally the following defects have been observed:

- Preliminary Amendments have not been entered because I need a preliminary amendment to enter the specification and the claims you have submitted with this application. Please see 37 CFR 1.121. In the mean time, the application was processed according to the published application pending your amendments..

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,377	PCT/US04/19229	26788-024

FORM PCT/DO/EO/905 (371 Formalities Notice)